

fee application pursuant to existing NLRB and OSHRC EAJA regulations, but the prevailing party would not be precluded from receiving an award by any burden either agency could show. If the agency loses an action against the small entity, it pays the fees and expenses of the prevailing party.

The FAIR Act applies the same rule regarding the awarding of fees and expenses to a small employer or labor organization engaged in a civil court action with the NLRB or OSHA. This covers situations in which the party wins a case against either agency in civil court, including a proceeding for judicial review of agency action. The Act also makes clear that fees and expenses incurred appealing an actual fee determination under the FAIR Act would also be awarded to a prevailing party without regard to whether or not the agency could show it was "substantially justified."

In adopting EAJA case law and regulations for counting number of employees and assessing net worth, an employer's eligibility under the FAIR Act is determined for Board actions as of the date of the complaint in an unfair labor practice proceeding or the date of the notice in a backpay proceeding. For Commission actions, eligibility is determined as of the date the notice of contest was filed, or in the case of a petition for modification of abatement period, the date the petition was received by the Commission. In addition, in determining the 100-employee limit, the FAIR Act adopts the NLRB and OSHRC EAJA regulations, which count part-time employees on a "proportional basis."

Mr. Speaker, the FAIR Act will arm small entities—businesses and labor organizations alike—with the incentive to defend themselves against these two agencies. The FAIR Act will help prevent spurious lawsuits and ensure that small employers have the ability to effectively fight for themselves when they have actions brought against them by a vast bureaucracy with vast resources.

If the NLRB or the OSHA wins its case against a small employer then it has nothing to fear from the FAIR Act. If, however, one of these agencies drags an innocent small employer through the burden, expense, heartache and intrusion of an action that the employer ultimately wins, reimbursing the employer for its attorney's fees and expenses is the very least that should be done. It's the FAIR thing to do. I urge my colleagues in the House to support this important legislation and look forward to working with all Members in both the House and Senate in passing this bill.

#### INTRODUCTION OF THE AMERICAN HANDGUN STANDARDS ACT

**HON. ELLEN O. TAUSCHER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 27, 1999*

Mrs. TAUSCHER. Mr. Speaker, today I am introducing the American Handgun Standards Act so we can finally eliminate junk guns from our streets by demanding that domestically produced handguns meet common sense consumer product protections standards. This bill is companion legislation to S. 193 introduced by Senator BARBARA BOXER.

I find it unbelievable that we subject toy guns to strict safety regulations, but we do not apply quality and safety standards to real handguns.

There are currently no quality and safety standards in place for domestically produced firearms. In fact, domestically produced handguns are specifically exempted from oversight by the Consumer Product Safety Commission; however, imported handguns are subject to quality and safety standards. This disparity in standards had led to the creation of a high-volume market for domestically manufactured junk guns.

Saturday night specials or junk guns are defined as non-sporting, low quality handguns with a barrel length of under three inches. These guns are not favored by sportsmen because their short barrels make them inaccurate and their low quality of construction make them dangerous and unreliable. These guns are favored by criminals because they are cheap and easy to conceal. The American Handgun Standards Act, will amend current law to define a "junk gun" as any handgun which does not meet the standard imposed on imported handguns.

According to the Bureau of Alcohol, Tobacco, and Firearms, in 1996 approximately 242 million firearms were either available for sale or were possessed by civilians in the United States. This total includes 72 million handguns, 76 million rifles and 64 million shotguns. Most guns available for sale in the US are produced domestically. We need to make sure these guns are subject to very strict safety standards. My legislation will make it unlawful for a person to manufacture, transfer, or possess a junk gun that has been shipped or transported in interstate or foreign commerce.

I urge my colleagues to support this bicameral, commonsense legislation.

#### HOTEL DOHERTY IS A SHINING PIECE OF MID-MICHIGAN'S HISTORY

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 27, 1999*

Mr. CAMP. Mr. Speaker, I rise today to speak about the Hotel Doherty, a building that has become a cherished landmark in the 4th Congressional District. I would like to bring to the attention of my colleagues this magnificent structure and the pride it has brought the people of Clare County.

In 1924, State Senator A.J. Doherty, grandfather of A.J. Doherty, built the hotel as a way to try to return to the people of Clare a fraction of what they had given to him. He had been given a piece of property in Clare with the sole requirement that he erect a hotel costing more than \$60,000. Mr. Doherty far exceeded this sum, building a massive and remarkable hotel that featured every modern amenity possible at that time. Such marvels as radios, hot and cold running water in every room and an Otis Elevator were just a few of its attractions.

As time passed, the Hotel Doherty secured its place as a symbol of pride for Clare. For 75 years, the Hotel Doherty's guests have en-

joyed its fine food and luxurious decor. It serves as a central meeting place in the state, as a respite for travelers and as a site for tourists. Even during tough economic times, the Doherty has maintained a level of excellence that has kept it among mid-Michigan's premier hotel and restaurant establishments.

The Hotel Doherty is also exceptional because it has remained family operated since it opened. Its current operators are Dean and Jim Doherty, the fourth generation of Dohertys to hold that honor.

Through the years, the hotel has changed with the times. It has undergone four expansions and renovations in its existence, but has still retained the charm and class that has made it an institution in mid-Michigan.

It is a special privilege for me to be the Representative for a district that has such a magnificent establishment as the Hotel Doherty. In our quickly changing world, it is comforting to know that the Hotel Doherty has been a shining piece of mid-Michigan's history for 75 years. I am confident that under the Doherty's stewardship, it will continue to be a vital part of its future for many years to come.

#### PERSONAL EXPLANATION

**HON. JUANITA MILLENDER-MCDONALD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 27, 1999*

Ms. MILLENDER-MCDONALD. Mr. Speaker, on Tuesday, May 25, 1999, I was unavoidably detained while conducting official business and missed rollcall votes 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, and 157. Had I been present I would have voted "yea" on rollcall votes 147, 148, 149, and 150.

I would have voted "present" on rollcall vote 151, the Quorum Call of the Committee.

Finally, I would have voted "nay" on rollcall votes 152, 153, 154, 155, 156, and 157.

#### WORKERS MEMORIAL DAY: LEADERSHIP AWARD

**HON. BOB FILNER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 27, 1999*

Mr. FILNER. Mr. Speaker and colleagues, I rise today to recognize Mary Grillo, as she is honored by the San Diego-Imperial Counties Labor Council, AFL-CIO, with its Leadership Award.

Mary helped rebuild a small local union over the last ten years to become one of the largest, most visible and powerful unions in San Diego, the Service Employees International Local 2028. Her efforts have created a new and strong force in San Diego's labor and political landscape.

Mary has been an enormous inspiration, particularly to those unions who represent women, Latinos, African Americans and Asian constituencies.

She has fought the County of San Diego's Executive Bonus plan, forced the County to make changes and won a new and improved

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contract for thousands of county employees. She also won a big victory in the convalescent home industry.

Her work has been an inspiration and example for others and have produced one of the largest delegations to the Labor to Neighbor. This vital program educates and involves union members and their families in the campaign to protect jobs and the future of working people in San Diego and Imperial Counties.

My congratulations go to Mary Grillo for these significant contributions. I can personally attest to Mary's dedication and commitment and believe her to be highly deserving of the San Diego-Imperial Counties Labor Council, AFL-CIO Leadership Award.

CONGRATULATIONS TO ABINGTON  
SENIOR HIGH SCHOOL

**HON. JOSEPH M. HOFFEL**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. HOFFEL. Mr. Speaker, I rise today to recognize the outstanding accomplishments of a High School in my District, Pennsylvania's Thirteenth Congressional District.

On behalf of the entire Montgomery County community, I congratulate Abington Senior High School in Abington, PA, for being selected by the Corporation for National Service as a National Service-Learning Leaders Schools. Abington is one of only two schools in Pennsylvania to receive this honor, and has been selected as part of the first-ever class of Service-Learning Leader Schools.

This designation is only awarded to schools that have broad-based service-learning activities throughout the school, and who have thoughtfully and effectively integrated service into school life and curriculum, promoted civic responsibility, improved school and student performance, and strengthened the surrounding communities with their participation.

National Service-Learning Leader Schools do not simply hold an honorary title. Along with the honor, Abington accepts responsibility for helping other schools integrate service into their curriculum. During Abington's 2-year term as a Service-Learning Leader, it will serve as a model of best practices to other schools and actively help them incorporate service-learning into their school life and curriculum. Specifically, Abington will lead, mentor, and coach other schools by sharing materials, making presentations, and participating in peer exchanges.

As part of its Service-Learning Leader activities, Abington will send representatives to Washington, DC this June in order to attend a Leader Schools Leadership Institute, during which delegates will receive specific training on establishing service programs in their schools, and in helping other schools to do the same.

Once again, congratulations to Abington Senior High School. The entire Thirteenth District is proud of them, and commends them for their excellent work in instilling civic responsibility in students and for serving the community.

EXTENSIONS OF REMARKS

INTRODUCTION OF H.R. 1977, THE  
HAROLD HUGHES, BILL EMERSON  
SUBSTANCE ABUSE TREATMENT  
PARITY ACT

**HON. JIM RAMSTAD**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 27, 1999

Mr. RAMSTAD. Mr. Speaker, every day, politicians talk about the goal of a "drug-free America."

Mr. Speaker, let's get real! We will never even come close to a drug-free America until we knock down the barriers to chemical dependency treatment for the 26 million American people presently addicted to drugs and/or alcohol.

That's right, Mr. Speaker. 26 million alcoholics and addicts in the United States today. 150,000 Americans died last year from drug and alcohol addiction.

Alcohol and drug addiction, in economic terms, cost the American people \$246 billion last year. American taxpayers paid over \$150 billion for drug-related criminal and medical costs alone in 1997—more than they spent on education, transportation, agriculture, energy, space and foreign aid combined.

According to the Health Insurance Association of America, each delivery of a new child that is complicated by chemical addiction results in an expenditure of \$48,000 to \$150,000 in maternity care, physicians' fees and hospital charges. We also know that 65 percent of emergency room visits are drug/alcohol related.

The National Center on Addiction and Substance Abuse found that 80 percent of the 1.7 million prisoners in America are behind bars because of drugs and/or alcohol addiction.

Another recent study showed that 85 percent of child abuse cases involve a parent who abuses alcohol or other drugs. 70 percent of all people arrested test positive for drugs. Two-thirds of all murders are drug-related.

Mr. Speaker, how much evidence does Congress need that we have a national epidemic of addiction? An epidemic crying out for a solution that works. Not more cheap political rhetoric. Not more simplistic, quick fixes that obviously are not working.

Mr. Speaker, we must get to the root cause of addiction and treat it like other diseases. The American Medical Association told Congress and the nation in 1956 that alcoholism and drug addiction are a disease that requires treatment to recover.

Yet today in America only 2 percent of the 16 million alcoholics and addicts covered by health plans are able to receive adequate treatment.

That's right. Only 2 percent of alcoholics and addicts covered by health insurance plans are receiving effective treatment for their chemical dependency, notwithstanding the purported "coverage" of treatment by their health plans.

That's because of discriminatory caps, artificially high deductibles and copayments, limited treatment stays as well as other restrictions on chemical dependency treatment that are different from other diseases.

If we are really serious about reducing illegal drug use in America, we must address the

disease of addiction by putting chemical dependency treatment on par with treatment for other diseases. Providing equal access to chemical dependency treatment is not only the prescribed medical approach; it's also the cost-effective approach.

We have all the empirical data, including actuarial studies, to prove that parity for chemical dependency treatment will save billions of dollars nationally while not raising premiums more than one-half of one percent, in the worst case scenario!

It's well-documented that every dollar spent for treatment saves \$7 in health care costs, criminal justice costs and lost productivity from job absenteeism, injuries and sub-par work performance.

A number of studies have shown that health care costs, alone, are 100 percent higher for untreated alcoholics and addicts compared to recovering people who have received treatment.

Mr. Speaker, as a recovering alcoholic myself, I know firsthand the value of treatment. As a recovering person of almost 18 years, I am absolutely alarmed by the dwindling access to treatment for people who need it. Over half of the treatment beds are gone that were available 10 years ago. Even more alarming, 60 percent of the adolescent treatment beds are gone.

Mr. Speaker, we must act now to reverse this alarming trend. We must act now to provide greater access to chemical dependency treatment.

That's why today I am introducing the Harold Hughes, Bill Emerson Substance Abuse Treatment Parity Act—the same bill that had the broad, bipartisan support last year of 95 cosponsors.

This legislation would provide access to treatment by prohibiting discrimination against the disease of addiction. The bill prohibits discriminatory caps, higher deductibles and copayments, limited treatment stays and other restrictions on chemical dependency treatment that are different from other diseases.

This is not another mandate because it does not require any health plan which does not already cover chemical dependency treatment to provide such coverage. It merely says those which offer chemical dependency coverage cannot treat it differently from coverage for medical or surgical services for other diseases.

In addition, the legislation waives the parity for substance abuse treatment if premiums increase by more than 1 percent and exempts small businesses with fewer than 50 employees.

Mr. Speaker, it's time to knock down the barriers to chemical dependency treatment. It's time to end the discrimination against people with addiction.

It's time to provide access to treatment to deal with America's No. 1 public health and public safety problem.

We can deal with this epidemic now or deal with it later.

But it will only get worse if we continue to allow discrimination against the disease of addiction.

As last year's television documentary by Bill Moyers pointed out, medical experts and treatment professionals agree that providing access to chemical dependency treatment is the

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